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This Compensation Statute is hereby enacted to establish the compensation levels for the Tribal Council based on Constitutional duties. This Statute replaces and repeals Waganakising Odawak Statute 2010-017 Constitutionally Mandated Compensation for Tribal Council Members, Waganakising Odawak Statute 2008-014 Constitutionally Mandated Compensation Statute Waganakising Odawak Statute 2003-05 *Tribal Council Compensation* and WOS 2005-04 *Constitutionally Mandated Compensation* and any previous Statute, Resolution or Policy language with regard to compensation levels for such positions as stated in this purpose.

A. “Salary Compensation” means the amount of annual pay for attendance at regularly scheduled Tribal Council meetings, work-sessions, legislative committee meetings, phone-polls, phone conferences, emergency meetings, hearings, travel, training, committee meetings, ~~or~~ electronic meetings, and any other activity in conjunction with carrying out Tribal Council Constitutional duties or any relevant Statute, to be paid pro rata, in equal increments and shall follow the practice of the Little Traverse Bay Bands of Odawa Indians governmental employees.

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Secretary Shananaquet-Otto

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2 ~~D.C.~~ “Tribal Constitution” means the LTBB Constitution adopted by the Tribal Membership
3 February 1, 2005.

4
5 ~~E.D.~~ “Tribe” shall mean the Little Traverse Bay Bands of Odawa Indians.
6
7

8 SECTION III. COMPENSATION CHANGE RESTRICTIONS 9

10 A. Any statutory amendment changing the level of compensation for a Tribal Council
11 members must be enacted before the Election Board distributes candidate petitions for the next
12 general election.
13

14 B. ~~No increase or decrease in compensation shall take effect until after the next general~~
15 ~~election.~~
16

17 SECTION IV. COMPENSATION ESTABLISHED 18

19 ~~A. Cost of Living Allowance, (COLA). The below stated compensation shall be subject to~~
20 ~~COLA, and shall be accumulative in its effect. The amount and timing of any adjustments of the~~
21 ~~compensation for COLA shall follow the practice of the Tribal government employees.~~ The
22 following Tribal Council positions will be compensated as follows:
23

24 ~~1.~~ Legislative Leader, ~~\$3533,000.00, plus accumulative COLA~~

25 ~~2.1.~~

26 ~~2.~~ Tribal Secretary, ~~\$3530,000.00~~

27 ~~— Tribal Treasurer, \$3530,000.00, plus accumulative COLA~~

28 ~~3.~~

29 ~~— 3. Tribal Secretary, \$35,000.00, plus accumulative COLA~~

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sponsored by Councilor Law Secretary
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4. Six (6) Tribal Council members, \$~~32280~~32280,000.00 ~~p~~

B. The above compensation shall be subject to federal and state (if applicable) taxation. Tax withholdings are elective and may be withheld from each payment.

C. Additionally Tribal Council members ~~shall may be able have the option~~ to participate in the following: contributions to the Tribe's retirement plan or a similar plan shall be allowed with the same conditions and restrictions applied to Tribal employees and other contributors in the Tribal Government Retirement plan ~~including health insurance, life insurance and other Tribal insurance programs~~ at the same rate as governmental employees.

SECTION V. TRAVEL EXPENSE

Travel expenses for approved travel ~~shall may~~ be paid in advance or reimbursed at the same rate as allowed employees in the Tribal Council approved Tribal Governmental Employees Travel Reimbursement Policy, or as amended.

~~SECTION VI. TRIBAL COUNCIL COMMITTEES~~

~~Chairs and members of Tribal Council committees that are either standing committees or ad hoc committees that approved by Tribal council shall be paid a stipend to attend the committee meeting. Other Councilors may attend the meetings but shall not be paid a stipend.~~

SECTION VII. WORKGROUPS, TEAMS, OTHER MEETINGS

Councilors who participation in or attendance workgroups, teams or other meetings shall not be paid a stipend. ~~unless approved by Tribal Council.~~

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2 **SECTION VII. ABSENTEEISM**
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4 Any Tribal Councilor, who has missed three (3) consecutive “Regularly Scheduled Tribal
5 Council Meetings”, will not receive any pay until they attend a “Regularly Scheduled Tribal
6 Council Meeting”.

7 **SECTION VIII. ABSENTEEISM**
8
9

10 ~~_____ All Tribal Councilors are required to attend Tribal Council meetings, Work sessions and~~
11 ~~committee meetings wherein they are a member of the committee or the committee chair.~~
12 ~~_____~~

13 ~~_____ Tribal Council may remove a Councilor from a committee as either the Chair or~~
14 ~~Committee member for habitually or frequently absenteeism from Tribal Council meetings.~~
15 ~~Work sessions or Tribal Council Committee meetings wherein they are a member of the~~
16 ~~committee or the committee chair.; or~~
17 ~~_____~~

18 ~~_____ Tribal Council may remove a Councilor from may remove their officer status of~~
19 ~~Legislative Leader, Secretary or Treasurer for habitually or frequently absenteeism from Tribal~~
20 ~~Council meetings, Work sessions or Tribal Council Committee meetings wherein they are either~~
21 ~~a member of the committee or the committee chair, the Chair or a member of the Committee.~~
22 ~~_____~~

23 ~~_____ Removal from a Committee or removal of officer status shall only be by a majority vote~~
24 ~~of Tribal Council.~~
25
26

27 **SECTION XVIII. COMPENSATION PROHIBITIONS**
28

29 A. Persons receiving compensation authorized by this Statute shall be prohibited from:
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2 1. A.—Receiving unemployment compensation for any reductions or termination
3 of said compensation.

4
5 2. B.—Receiving any other type of payment for compensation not explicitly
6 listed in this Statute, including stipends.

7 Stipend means a set amount of money paid for attendance.

8
9 A.3. Receiving overtime provision.

10
11 B.—Exception: In the event where the Legislative Leader becomes the acting chair, the
12 Secretary shall receive an additional \$5,000.00 plus the accumulated COLA for time that he or
13 she assumes the duties of the former Legislative Leader.

14
15
16 **SECTION IX. EMPLOYMENT**

17
18 In accordance the Tribal Constitution, Tribal Council members if employed as enterprise
19 employees of a Tribal enterprise may not hold more than one fulltime paid position, even if they
20 decline pay for one of the positions.

21
22
23 **SECTION XI. SEVERABILITY**

24
25 If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for any
26 reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall
27 be deemed a separate, distinct and independent provision and such holding shall not affect the
28 validity of the remaining portions thereof.

29
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31 **SECTION XII. EFFECTIVE DATE**

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1 Effective upon signature of the Executive or thirty (30) days from Tribal Council approval
2 whichever comes first or if the Executive vetoes the legislation, then upon Tribal Council
3 override of the veto, but shall not be implemented until after the next election and until the next
4 Tribal Council or individual councilors are sworn in.

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7 **CERTIFICATION**

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